

REMARKS

This is intended to be a full and complete response to the Office Action mailed June 20, 2000 in the above-captioned patent application.

Applicants acknowledge with appreciation the cordial personal interview granted Dr. Kubein-Meesenburg and their undersigned counsel on October 20, 2000. The following remarks are respectfully submitted to reflect the discussion which took place at the interview.

A proposed Drawing Correction is submitted herewith to correct the errors noted by the Examiner in the drawings.

The specification has been amended to correct the informalities in accordance with the Examiner's suggestions. The Examiner is thanked for his helpful assistance in pointing out these inadvertent defects. Additional obvious clerical errors have also been corrected.

The grounds which existed for the rejection of claims 1-3 under 35 U.S.C. §112, second paragraph, are believed overcome by the foregoing amendments to the claims. The term "holoid" used in the amended claims is a term which has been used in the technical literature as an equivalent for the German term "Polkurve" and refers to a figure defined by the path of movement of the axis of rotation.

The rejection of claims 1-3 under 35 U.S.C. §102(e) over Pappas, U.S. Patent No. 5,507,820 is respectfully traversed. Pappas merely discloses an endoprosthesis with a helicoid bearing surface formed by rotation and translation of the grinding tool used to form the surface to yield a compound bearing surface which maintains engagement between the joint members despite displacement of the bones toward and away from each other. There is no disclosure or suggestion in Pappas of any artificial joint as claimed by the present applicants in which the curved contact

boundary on the articulation faces is an elliptical section contour of a cylinder or cone, or in which a straight contact line along which the joint members touch at a given instant is drawn from the contact point at the curved contact boundary either to a fixed point or to the instantaneous center of revolution. Reconsideration and withdrawal of the rejection are therefore respectfully requested.

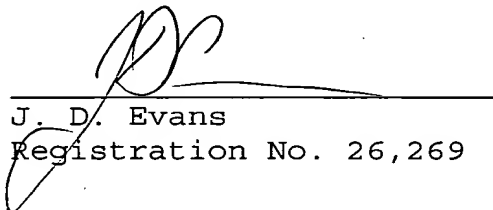
In view of the foregoing amendments and remarks, the application is respectfully submitted to be in condition for allowance, and prompt, favorable action thereon is earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #1920/47784).

Respectfully submitted,

October 20, 2000


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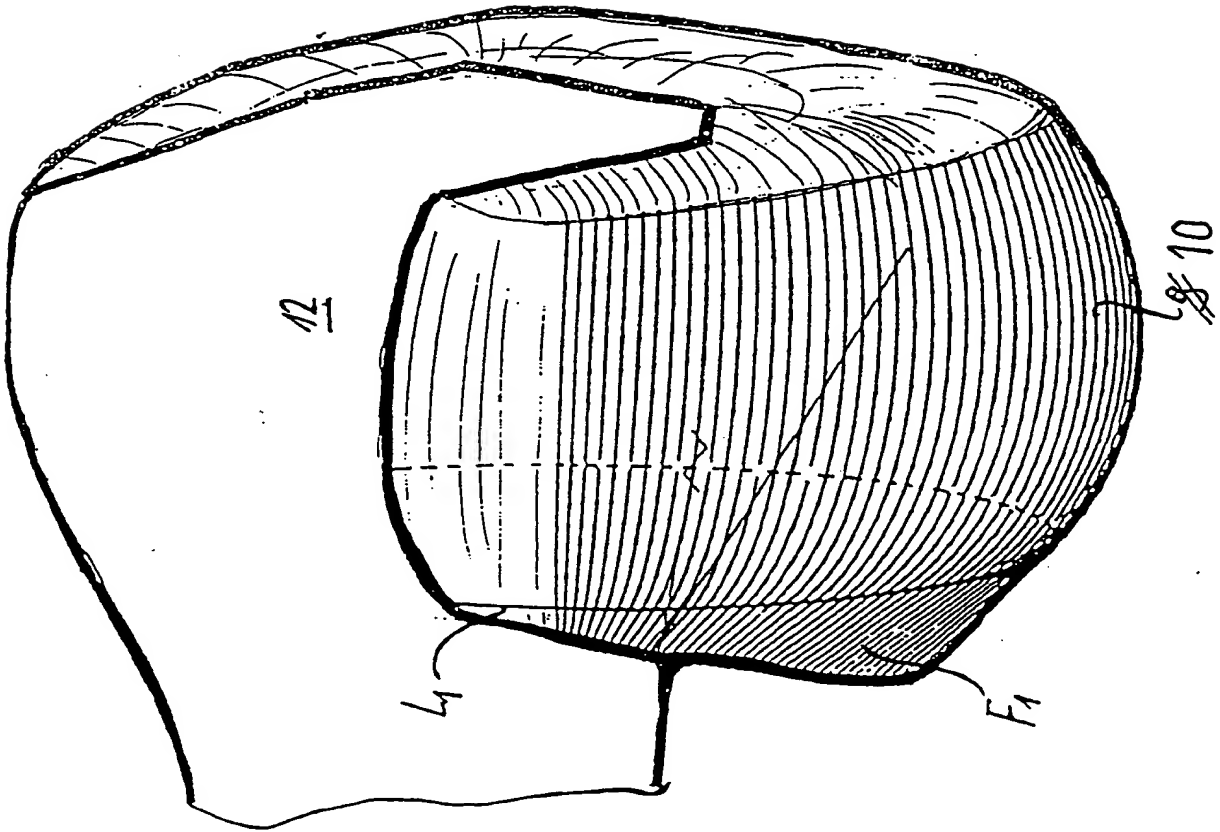


FIG.9

Approved 12-18-00

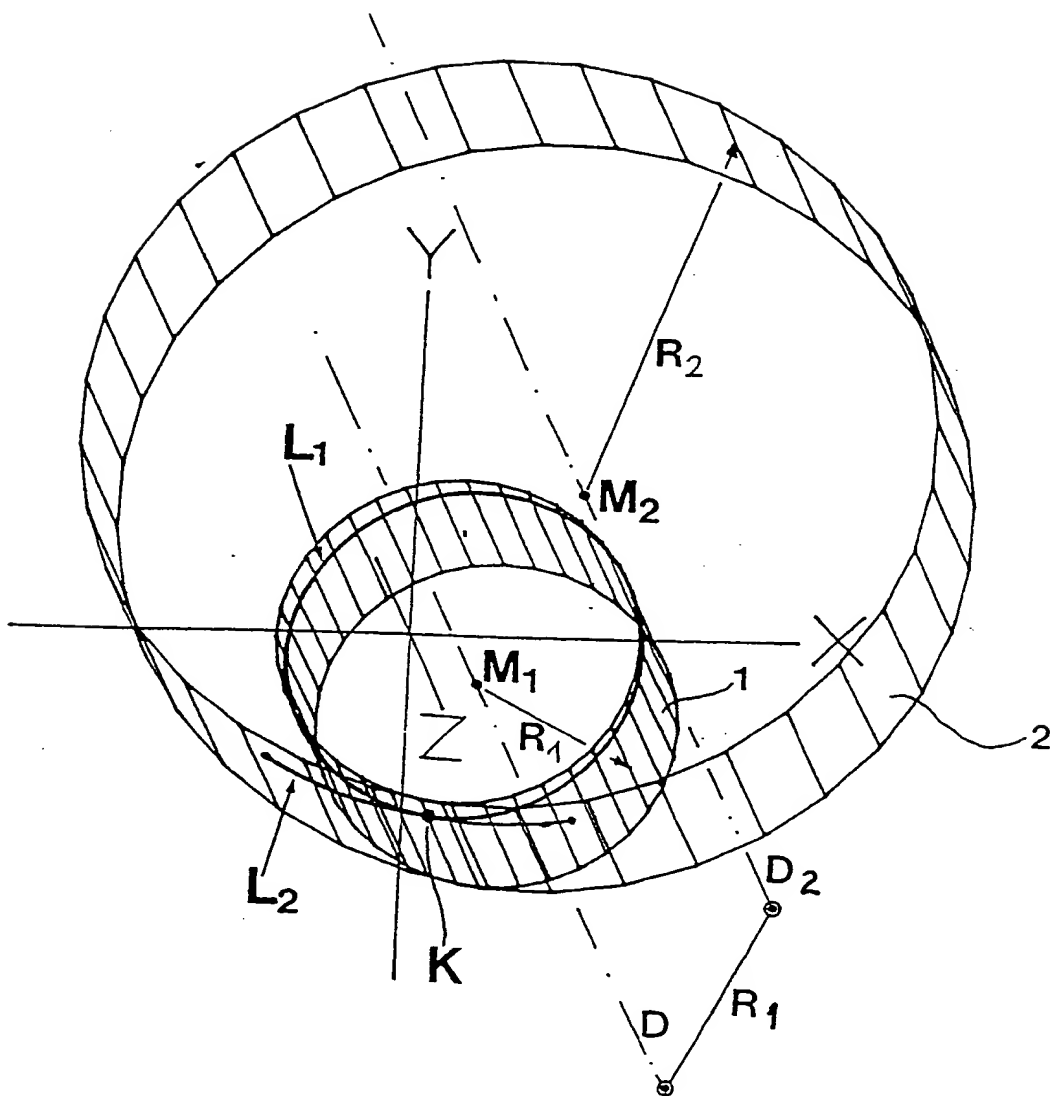


FIG. 2

not approved for 12-18-00
See Ex Amend. of 12-18-00
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